

U.S. Patent Application Serial No. **10/533,286**
Response filed March 21, 2007
Reply to OA dated December 21, 2006

AMENDMENT TO THE DRAWINGS:

The attached sheets of drawings include requested changes marked in red to Figs. 8, 9 and 10. Also enclosed are replacement sheets that include Figs. 8, 9 and 10, and replace the three original sheets including Figs. 8, 9 and 10. No new matter is added.

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REMARKS

Claims 1-2 and 4-28 are pending in the application. Claim 3 is canceled and claims 23-28 are new.

The amendments to the claims and new claims are supported in the specification as follows:
Claims 1, 2: (p.20, lines 26-30); Claim 4 and 18-22: (claim dependency); Claims 9, 12 and 15 (grammar amendments); new claim 23: (claims 1, 15 and 17); Claim 24: (claims 1, 12 and 13); claim 25: (claims 1, 15 and 16); claim 26: (claims 2, 15, 17); claim 27: (claims 2, 12 and 13) and claim 28: (claims 2, 15 and 16). The applicants respectfully submit that no new matter has been added. It is believed that this Amendment is fully responsive to the Office Action dated December 21, 2006.

The listing of references in the specification is not a proper information disclosure statement. (Office Action, p. 2)

The applicant acknowledges the Examiners comment that references must be submitted in an IDS in order to be properly considered.

Figures 8-10 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. (Office Action, p. 2)

FIGS. 8-10 have been amended with the legend --Prior Art-- as suggested by the Examiner. It is respectfully asserted that no new matter has been added.

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The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. The following title is suggested: "COMPRESSOR FOR REFRIGERATOR-FREEZER HAVING A POROUS MEMBER BETWEEN ROTATION MOTOR AND COMPRESSION MECHANISM". (Office Action, p. 3)

To be more descriptive, the applicant has amended title to read: "COMPRESSOR FOR REFRIGERATOR-FREEZER HAVING A POROUS MEMBER".

Claims 9, 12 and 15 are rejected under 35 U.S.C. 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. (Office Action, p. 3)

The phrases "such as" and "and the like" have been deleted and the claims have been amended to recite proper Markush language to overcome the rejection.

Claims 1-19 and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by an one of Ozu et al. (Ozu) (Patent Number 5,782,622) or Arai et al. (Arai) (Publication Number JP 56-165788). (Office Action, p. 4)

The applicants are now claiming the following structure:

a porous member through which the working fluid passes, and a central portion of said porous member is thicker than an outer periphery of the porous member.

As explained in the specification, the advantage of such a structure is:

The lower end surface 51a of the porous member 51 projects downward in the convex manner, **a thickness of the central portion of the disk-like shape of the porous member 51 is thick and a thickness of its peripheral portion is thin.** Therefore, **working fluid which is discharged from the discharge hole 7a** of the upper bearing member 7 and which collides against the central portion of the disk-like shape of the porous member 51 is dispersed toward the periphery along the convex surface shape of the lower end surface 51a, and **its flowing width is increased, and the flow speed of the working fluid passing through the porous member 51 is further reduced.** Since the central portion of the porous member 51 is thick, resistance of the working fluid passing through the central portion is greater than that of the working fluid passing through its periphery.
(Emphasis added)

Nowhere in any of the cited references is the claimed structure or its advantages disclosed or even suggested.

Ozu discloses the opposite structure in FIGS. 4 and 7, namely a frame 50, made from a porous sintering material, which is thinner in the center and thicker at the periphery. This is exactly opposite the claimed structure.

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As for Arai et al (Japanese Patent Application Laid-open No.S56-165788), it shows:

Concerning structures of Figs. 3 and 4, an oil separator element 39 is disposed in a discharge chamber 31. In Fig. 3 a discharge pipe 42 corresponds to a discharge pipe 15 of the present invention (pipe from which gas is discharged into a refrigeration cycle from a container).

Concerning structures of Figs. 5 and 6, a ring-like oil separator element 39' is disposed on an outer periphery of an oil reservoir 61. In Fig. 5, the discharge pipe 42 corresponds to the discharge pipe 15 (pipe from which gas is discharged into a refrigeration cycle from a container).

Arai et al has oil separator elements 39 and 39'. There is no specific explanation concerning the structure of the oil separator element.

The oil separator elements 39 and 39' are mounted on quite different positions from that of claim 2 of the present invention. A discharge gas taking-out port 40 shown in Fig. 3 of Arai et al is not a pipe from which gas is discharged into a refrigeration cycle from the container, but is a pipe from which gas is returned into the container (chamber 13). **The discharge pipe 15 of the present invention is a pipe from which gas is discharged from the container into the refrigeration cycle, and corresponds to the discharge pipe 42 in Fig. 3 of Arai et al.**

Based on structure, it is legally impossible for Ozu and Arai to anticipate the invention as now claimed. It is respectfully requested that the rejection be withdrawn.

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Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ozu in view of Matsumoto et al. (Matsumoto) (Patent Number 6,592,347). (Office Action, p. 6)

Because Matsumoto also nowhere discloses the claimed structure and claim 20 is dependent from claims 1 and 2, this rejection is overcome because the combination of Matsumoto and Ozu cannot logically render the claimed invention obvious.

In view of the aforementioned amendments and accompanying remarks, claims 1-2 and 4-28, as amended, are in condition for allowance, which action, at an early date, is requested.

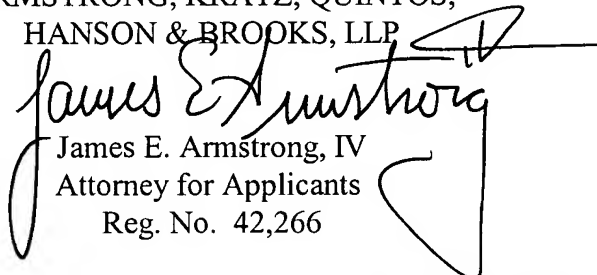
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If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the applicants undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, the applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, KRATZ, QUINTOS,
HANSON & BROOKS, LLP


James E. Armstrong, IV
Attorney for Applicants
Reg. No. 42,266

JAM/aoa
Atty. Docket No. **050222**
Suite 1000
1725 K Street, N.W.
Washington, D.C. 20006
(202) 659-2930



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PATENT TRADEMARK OFFICE

Enclosures: Replacement Sheets of Drawing (Figs. 8, 9 and 10)
Annotated Sheet Showing Changes (Figs. 8, 9 and 10)

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Fig. 8

PRIOR ART

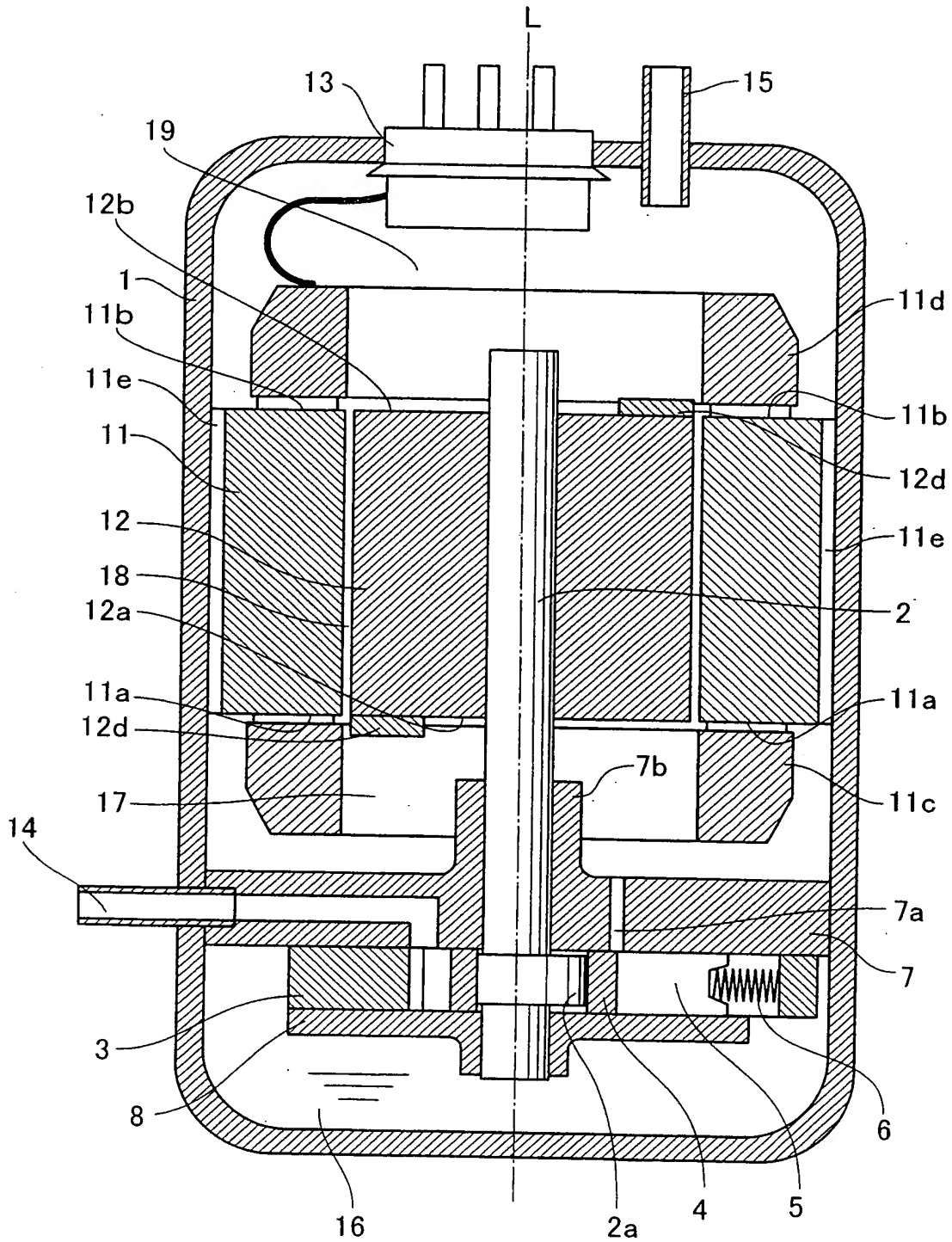




Fig. 9

PRIOR ART

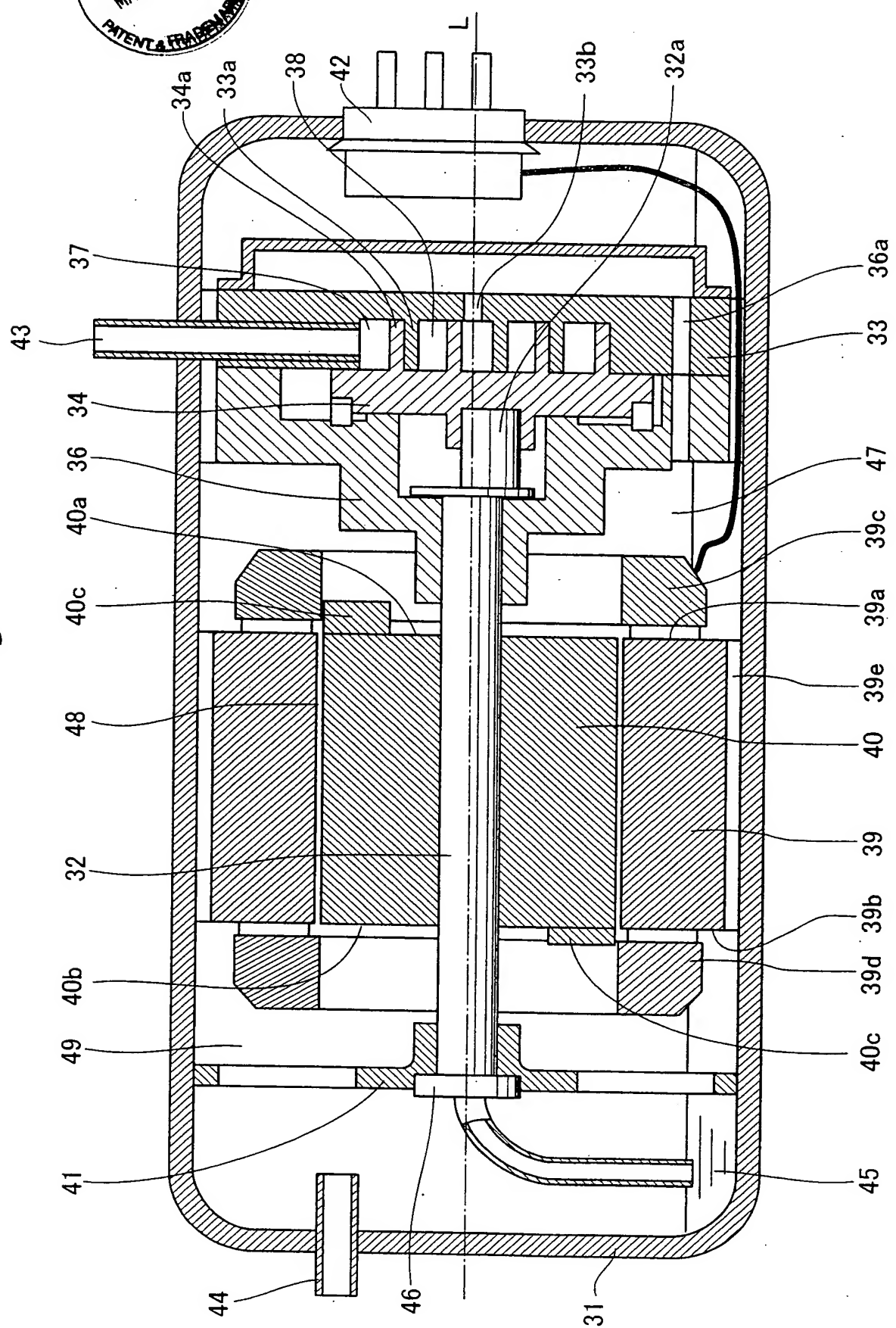


Fig. 10

PRIOR ART

